

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/622,236	LIZOTTE ET AL.
	Examiner Allyson N. Trail	Art Unit 2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed 10/10/2006.
2.  The allowed claim(s) is/are 2-15, 17-22, 41-45, 47 and 48.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Amendment***

1. Receipt is acknowledged of the Amendment filed October 10, 2006.

### ***Remarks***

2. Claims 2-15, 17-22, 41-45, 47, and 48 are currently pending. Claims 1, 16, 23-40, and 46 have been cancelled. In the previous Office action, claims 41-45 were indicated to be allowable over prior art and claims 2-6, 9, 10, 12-15 and 17-21 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Currently amended claims 2, 3, 9, 10, 17 and 18 are amended into independent. Therefore claims 2-15, 17-22, 41-45, 47, and 48 are allowable over prior art.

### ***Allowable Subject Matter***

3. Claims 2-15, 17-22, 41-45, 47, and 48 are allowable over prior art.

The following is an examiner's for allowance: Although prior art teaches an indicia for marking on an object for representing selected information, the above identified prior art of record, taken alone, or in combination with any other prior art, fails to teach or fairly suggest the specific features of claims 2-15, 17-22, 41-45, 47, and 48 of the present claimed invention. Specifically, prior art fails to teach the encoded pattern being an encoded hologram multi-dimensional barcode or an encoded barcode. Prior art additionally fails to teach the indicia being imprinted in a marked surface of an object by physical impact of a marking indicia that is an inverse image of the indicia or

by removal of selected areas of surface material representing an image of the indicia. Prior art fails to teach a firearm firing pin anti-tampering marking indicia for marking an identification indicia representing selected information on a portion of a cartridge case including a radial bar code residing on the circumference of an end section of a striking member of a firing pin, wherein the radial bar code includes a plurality of grooves and lands extending from an end of the striking section impacting a portion of a cartridge case and along the striking member for a preselected encoding distance to mark the radial bar code represented by the grooves and lands into the portion of the cartridge case, wherein the encoding distance is selected such that removal of the radial bar code from the firing pin by removal of a portion of the striking section containing the radial bar code will render the firing pin incapable of impacting the cartridge case to fire the cartridge. Lastly, prior art fails to specifically teach a marking indicia for marking an identification indicia representing selecting information on a portion of a cartridge case including a marking indicia disposed in a circular pattern on an end face of a firing pin tip, wherein the circular pattern is centered about an axis of the firing pin, and is physically encoded as a sequence of encoded bits recessed into a surface of an end face of the firing pin tip, wherein the encoded bits are separated by encoded lands, such that removal of the marking indicia from the firing pin by removal of a portion of the striking section of the firing pin tip will render the firing pin incapable of impacting the cartridge case to fire the cartridge. The above disclosed limitations are not taught in prior art and moreover, one of ordinary skill in the art would not have been motivated to come to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Allyson N. Trail* whose telephone number is (571) 272-2406. The examiner can normally be reached between the hours of 7:30AM to 4:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [allyson.trail@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Allyson N. Trail  
Patent Examiner  
Art Unit 2876  
November 24, 2006



MICHAEL G. LEE  
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